

**REMARKS**

Claims 2, 6, 7 and 8 have been amended to replace the phrase "pharmaceutically acceptable disintegrating agent" with the word "starch". Also, in claims 2 and 8, the phrases "a compound" and "crystalline cellulose, low-substituted hydroxypropyl cellulose, carboxymethyl cellulose, calcium carboxymethyl cellulose, crospovidone and starch represented by" have been deleted. No new matter has been added by this Amendment. No new claims have been added.

In the Office Action mailed August 6, 2010, the Examiner rejected claims 2, 3, 5-8 and 10 under 35 U.S.C. §102(b) as anticipated by EP 361 874 to Koyama, et al. ("Koyama"). At page 3 of the Office Action, the Examiner contended Koyama taught rapidly disintegrating spherical granules which are spray coated with low substituted hydroxypropyl cellulose. The Examiner further contended that the process disclosed in Koyama inherently results in substantially complete covering of a core to form a granule.

The claims have been amended to remove the recitation of low substituted hydroxypropyl cellulose. Thus, for this reason alone, and without commenting on the remainder of the Examiner's assertions, Applicant respectfully submits that the invention as presently claimed is not anticipated by Koyama.

At page 4 of the Office Action, the Examiner rejected claims 4 and 9 under 35 U.S.C. §103(a) as obvious over Koyama. Since the parent claims these claims are dependent from (claims 6 and 7, respectively) are patentable over Koyama, claims 4 and 9 are patentable over Koyama as well.


A good faith effort has been made to place this application in condition for allowance. If the Examiner has any questions or comments, the Examiner is invited to contact the undersigned to discuss the matter.

Please deduct the two month extension of time fee of \$490.00 from our Account No. 20-

1507.

Dated: January 7, 2011

Respectfully submitted,

By: 

Gerard F. Diebner

Registration No. 31,345

Troutman Sanders LLP

Customer Number: 84310

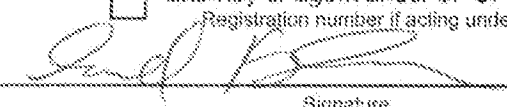
405 Lexington Avenue

New York, New York 10174

Tel: (212) 704-6118

Fax: (212) 704-5928

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |            |  |                  |
|---|------------|--|------------------|
| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b><br><b>FY 2009</b><br><small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</small>                             |            | Docket Number (Optional)<br><b>236276.000003</b> |                  |
| Application Number <b>10/542,969</b>  |            | Filed <b>July 21, 2005</b>                       |                  |
| For <b>INTRAOORALLY RAPIDLY DISINTEGRATING TABLETS AND THEIR PRODUCTION</b>   |            |  |                  |
| Art Unit <b>1615</b>  |            | Examiner <b>AHMED, Hasan Syed</b>                |                  |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.  |            |  |                  |
| The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):   |            |  |                  |
|   | <u>Fee</u> | <u>Small Entity Fee</u>                          |                  |
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))  | \$130      | \$65   | \$ _____         |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))  | \$490      | \$245  | \$ <u>490.00</u> |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))   | \$1110     | \$555  | \$ _____         |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))  | \$1730     | \$865  | \$ _____         |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))  | \$2350     | \$1175   | \$ _____         |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.   |            |  |                  |
| <input type="checkbox"/> A check in the amount of the fee is enclosed.  |            |  |                  |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |            |  |                  |
| <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.  |            |  |                  |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>20-1507</u> .                 |            |  |                  |
| <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>               |            |  |                  |
| I am the <input type="checkbox"/> applicant/inventor.   |            |  |                  |
| <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.<br>Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).  |            |  |                  |
| <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>31,345</u>  |            |  |                  |
| <input type="checkbox"/> attorney or agent under 37 CFR 1.34.<br>Registration number (if acting under 37 CFR 1.34) _____  |            |  |                  |
| <br>Signature  |            | <u>1/7/11</u><br>Date                            |                  |
| <u>Gerard F. Diebner</u><br>Typed or printed name   |            | <u>(212) 704-6118</u><br>Telephone Number        |                  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. |            |  |                  |
| <input type="checkbox"/> Total of _____ forms are submitted.  |            |  |                  |

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.